

AFFIDAVIT

I, Special Agent Mackenzie Lilly, being duly sworn, depose and state as follows:

INTRODUCTION

1. I am a Special Agent ("SA") with the Federal Bureau of Investigation, and have been so employed since January 2018. I am currently assigned to the Los Angeles Office, Orange County, California, Resident Agency. I investigate, among other things, child pornography, child sexual exploitation crimes, and sex trafficking of children, in the Central District of California. During my tenure with the FBI, I have participated in the execution of federal search and arrest warrants in a variety of criminal investigations. As part of my duties as an FBI agent, I have participated in investigations involving but not limited to child exploitation, mail fraud, wire fraud, drug trafficking organizations, and criminal enterprise investigations. Moreover, I am a federal law enforcement officer engaged in enforcing criminal laws, including 18 U.S.C. § 2242(b), 18 U.S.C. §§ 2252A(a)(2) and (b)(1) and 18 U.S.C. § 1470.

2. I make this affidavit in support of an application for a criminal complaint against Kenneth MCCORD ("MCCORD"), charging him with a violation of 18 U.S.C. § 2252A(a)(2). That statute makes it illegal for any person to knowingly receive, or attempt to

receive, any materials that contain images of child pornography that have been mailed, shipped, or transported using any means or facility of interstate or foreign commerce or shipped or transported in or affecting interstate or foreign commerce by any means, including by computer.

3. The statements contained in this affidavit are based upon my personal knowledge, as well as information provided to me by other law enforcement officials. All observations not personally made by me were related to me by the individuals who made them or were conveyed to me by my review of records, documents, and other physical evidence obtained during this investigation.

4. Since this affidavit is being submitted for the limited purpose of establishing probable cause, I have attempted to summarize the most relevant facts that establish the requisite probable cause. Therefore, I have not included each and every fact of this investigation.

PROBABLE CAUSE

5. On or about February 19, 2025, [REDACTED]
[REDACTED] was interviewed at the Federal Bureau of Investigation, Orange County, California, Resident Agency, regarding sexually explicit messages she believed had been exchanged between an unidentified adult man using SUBJECT

TELEPHONE 1 ("SUBJECT TELEPHONE 1" or "ST1") and [REDACTED]'s 15-year-old son, Minor Victim 1 ("Minor Victim 1" or "MV1").

6. [REDACTED] provided her consent to search their family iPad, Serial number GG7FR2JZQ1GC. [REDACTED] stated Minor Victim 1 used the referenced iPad, which was connected to his iCloud account. [REDACTED] looked through an iMessage conversation thread with SUBJECT TELEPHONE 1 and confirmed Minor Victim 1 was in some of the images. In a conversation with [REDACTED], she told me she looked at her telephone records and discovered SUBJECT TELEPHONE 1 had been in contact with Minor Victim 1 since at least March 2024 and also discovered Minor Victim 1 and SUBJECT TELEPHONE 1 made FaceTime calls to each other.

7. On or about February 19, 2025, I completed a cursory review of the iPad provided by [REDACTED], which revealed iMessages between Minor Victim 1 and SUBJECT TELEPHONE 1, which was saved in Minor Victim 1's contact list as "Ken." The conversation in the iPad dated back until approximately December 30, 2024.

8. During my review of the iPad, I saw that SUBJECT TELEPHONE 1 sent multiple nude and/or sexually explicit photographs of what appeared to be an adult male to Minor Victim 1. In addition, Minor Victim 1 sent a few explicit images of

himself to SUBJECT TELEPHONE 1. These images are further described below.

9. On or about January 4, 2025, at approximately 7:26pm PST, Minor Victim 1 and SUBJECT TELEPHONE 1 exchanged the following messages:

MV1: "Hey hey"
"Sorry I know this is late for u but I just wanted to check in"
"I've been a lil busy but we can definitely chat tmr"
"Heads up I got a new hair cut [emoji laughing]"

10. After the text messages listed above, Minor Victim 1 sent what appeared to be a bathroom selfie in the mirror, with no shirt on and his penis sticking out from the top of his waistband.

ST1: "Hey [REDACTED]."
"I'm back in Ohio this evening. I'm still up watching the Steelers game. And I'm glad you checked in. You never need to apologize- you're always exempt in my book because you're my favorite."
"I noticed the haircut, a sneak peek and some very sexy abs!!! Dude- they look awesome. Seriously."

MV1: "Haha thanks"
"Sorry I'm just about to go out with some friends"
"Just wanted to say hi tho [smiling emoji with red cheeks]"

ST1: "I'm so glad you did. Have fun but nothing stupid tonight! [emoji with one eye open and one closed with a tongue out]"

MV1: "Haha wish I was with you though"
"Just cuddling and chilling"
"Can I take a peek of you right now?"

ST1: "Aawww. Thanks. I could use some [REDACTED] right now."

11. After the above message, SUBJECT TELEPHONE 1 sent what appeared to be a selfie of himself in blue boxers. The focus of the image appears to be his abdominal and genital area.

MV1: "From now?"

ST1: "I don't have any sneak peak pics. This is two nights ago."
"Take a video?"

MV1: "Haha a vid of what?"

ST1: "It's PG."

MV1: "Yeah for sure"

12. After the above message, SUBJECT TELEPHONE 1 sent a ten second video to Minor Victim 1 that appears to be a shadow depicting a hand stroking a penis.

ST1: "Sorta PG"

MV1: "Dude when's that from" [crying laughing emoji]

ST1: "About two nights ago. I needed to get some new material.
Haha"

MV1: "Haha nice"
"A press night huh"
[crying laughing emoji]

ST1: "Haha. Funny. But yeah."
"Enjoy tonight but I need more ab pics from you!! Very impressive. Sneak peak was great too. Give me a shout."

13. On or about January 9, 2025, Minor Victim 1 and SUBJECT TELEPHONE 1 exchanged the following messages:

MV1: "What are you doing right now"

ST1: "And I do miss you as well-but probably just a bit more. Just keep being you."
"About to spin bike."

MV1: "Haha nice"
"Now that is a sight I like to see"

ST1: "I might send a pic"

MV1: "I'm just doing math but it's pretty easy"
"And it's better with company"

14. After the above message, SUBJECT TELEPHONE 1 sent what appeared to be a shirtless mirror picture with his boxers partially pulled down exposing the top of the shaft of a penis.

MV1: "Haha from now?"

ST1: "Yep"

MV1: "I'm jealous that im not there with u"

15. After the above message, SUBJECT TELEPHONE 1 sent what appeared to be shirtless mirror picture with his boxers pulled further down exposing almost the entire penis.

ST1: "Sorry. A little too much"

MV1: "No not at all"
"You don't have to apologize" [crying laughing emoji]

ST1: "Well then ..."

MV1: "I mean I would keep it modest still though just to be safe"
"Or relatively anyway, I'm sure a peek won't hurt"

16. After the above message, SUBJECT TELEPHONE 1 sent what appeared to be a nude body mirror picture with no boxers and penis exposed. The image appeared to capture the adult male from his head to his knees.

MV1: "We can do some full ones later" [crying laughing emoji]
"Dude that's amazing"
"I don't know what to say, I'm in love"

ST1: "Too late for that last suggestion. Just erase this chain."
"Okay. Just send me a sexy abs pic. Please. You send me that one pic and I was so impressed, motivated and in love"

17. Later in the conversation from January 9, 2025, the following exchange occurred:

MV1: "Haha can I get any more of u"

ST1: "And I know when you can and can't do certain things - risk being caught - and fully trust that you make the best decisions when spending pics or taking them. Err on the side of caution!!"

18. The above conversation continued and below is another exchange that occurred on January 9, 2025, which showed SUBJECT TELEPHONE 1 was aware Minor Victim 1 was 15 years old and still in school:

ST1: "I'll try in a bit. You want a sweaty pic. Like - the kind of sweat you might have doing other activities."

MV1: "Haha you know it"

ST1: "Who's picking you up from school?"

MV1: "I'm taking the bus back"
"Pretty safe to chat there too"

ST1: "Cool. Just you riding the bus?"

MV1: "Yeah I always go in the back and get a seat with no one behind me so they can't see my screen"

ST1: "Smart move."

MV1: "It's a school bus but it's normally pretty empty because people take the [earlier] ones"

ST1: "You stayed after to do homework at school or the bus schedule causes you to be in a holding pattern ?"

MV1: "I stayed after school to do homework"
"I concentrate better here, less desired to do...other things"

ST1: "I know - it sounds like I'm planning to kidnap you. You're safe."
"I get it."

MV1: "Haha I can only wish"

ST1: "Have you jerked off today? Mr 3 times a day guy!"

MV1: "Haha not yet, I've been limiting myself to once max to focus on school"
"How 'busy' have you been"

ST1: "Now that is incredible discipline for a 15 year old."
"Not busy at all really."

19. On the same day, January 9, 2025, the conversation continued to include the following exchange:

MV1: "So how's it been going"

ST1: "Average I guess. Nothing good but nothing bad."

MV1: "About the same for me"

ST1: "How about you ? Any good stories or encounters?"

MV1: "Haha not yet I wish"
"U?"

ST1: "And no- I never hooked with the 16 guy."
"He's a little unhinged"

MV1: "Aw I was looking forward to hearing about it"
"Oh what happened"

ST1: "I could tell he had reservations. I also think he's pretty active- I think. That scares me."

MV1: "Oh that might not be the best sign, you don't want to get anything"

ST1: "Exactly. That scares the crap out of me. I'm cleaning and healthy and don't need drama or disease."
"I'm clean"

MV1: "Good, I would hope so"

ST1: "I get proposal all the time but I'm so selective I usually, almost always decline."

MV1: "Haha ok Mr exclusive" [crying laughing emoji]

ST1: "And that is something you should be careful with. Someone your age - you would probably be fine. But an older guy - it becomes dicey."

MV1: "Yeah that's true too"

ST1: "You can be that way too. If you were ugly and fat and had a small unit - then you might want to broaden your options. Haha. But also I know you well- I would still say be selective"

MV1: "Haha I bet u have people blowing up ur phone"
"I mean I would"
"Where u at in your workout?"

ST1: "You have my number and maybe one other. I can't think who it might be- really. I usually give them my Snapchat. And I use that only for guys. Maybe 6 or 7 have that."
"28 minute mark"

MV1: "Who's the other, if you don't mind me asking"

ST1: "You don't blow it up though"

MV1: "You've got me curious haha" [crying laughing emoji]

ST1: "About who else I have?"

MV1: "Yeah"

ST1: "Okay. I'll share. I think you can handle this. I'm being truthful too. If you think you might get jealous and don't want to know- I get it. It's not me being pompous but I was 15 once."

MV1: "No I don't mind, really"
"I won't be jealous because I know you would understand for me too"
"We both are on opposite sides of the country and we have our... needs that sometimes we can't fulfil alone"

ST1: "Okay. I have a guy in CA that we send vids and pics about once every couple of months. I've never seen his face. He's Asian. Probably a version of you when you get older"

MV1: "Was he the one you told me about?"
"Haha how old is he"

ST1: "I have the crazy 19 year old that calls and texts all the time. He's fat with a small dick. He is infatuated with me. I ignore him a lot of the time."

MV1: "Yes I remember you telling me about him"

ST1: "And then I have about four others from other countries that are just typical 16-19 year old guys. Really intermittent contact and nothing they have trumps you."

MV1: "U sure?"

ST1: "And then there is you."
"Yeah. I would tell you."
"If so"

MV1: "Same I would tell you too"

ST1: "I'm not out and I'm discreet. Local hook ups would be challenging."

MV1: "That definitely makes sense, you wouldn't want to be recognized"
"Do you think you could ever come out?"

ST1: "One more - forgot. A 23 year old future physical assistant has been occasionally sending me snaps."

MV1: "Haha how's he in comparison"

ST1: "He is cute in the face. The start of a dad bod. Is about an hour from me. Very limited snaps but checks in every now and then."
"Dick is smaller than yours."

MV1: "Nice nice"

ST1: "And he's white"
"Now I know why girls get tired of dealing with guys."

MV1: "lol" [crying laughing emoji]

ST1: "Sporadic texting and stuff."

MV1: "Not me I hope"
[crying laughing emoji]
"Hiws the bike coming along"

ST1: "No. [REDACTED] - I'm being truthful too- you are something else. I could never just have sex with you and split or just do it for my pleasure. I learned so much about you."
"Okay my texting is about gone. Sweat."

20. On or about January 18, 2025, SUBJECT TELEPHONE 1 sent Minor Victim 1 what appeared to be a mirror selfie with a gray unzipped hoody and no shirt with his shorts pulled down at the hem to show part of his penis.

21. In response, MV1 sent what appears to be a selfie with his tongue on his lips showing braces, a tan t-shirt and at the bottom of the photo the tip of his penis.

MV1: "lol whens that from"

ST1: "Just now."

MV1: "Amazing"

ST1: "Good pic. Sexy beast. I almost didn't catch it. Very sly."

MV1: "Haha thanks"

ST1: "Thanks"

MV1: "Hey I'm about to finish up if u want to watch"
"And after I shower we can chat more"

ST1: "Are you....right now?"

MV1: "Yep"
"U interested?"

ST1: "Very"

MV1: "Haha ok lets do it"
"I can talk sorry"

ST1: "That's fine"

MV1: "I might have to go soon"
"U mind doing a full head to toe flex for me"

22. On or about February 3, 2025, Minor Victim 1 and SUBJECT
TELEPHONE 1 exchanged the following messages:

ST1: "Any crazy homework encounters ??" [emoji with one eye
open and one eye closed with tongue sticking out]

MV1: "Haha not yet"
"U?"

ST1: "No. I am just laying low and window shopping."

MV1: "I like how u phrased that" [crying laughing emoji]

ST1: "Not out so I stay in."

MV1: "Any new pics?"
"Sorry for asking I don't want to bother"

ST1: "You're not bothering me. If you apologize anymore - I'm
going to come over there and man handle you" [emoji with
one eye open and one eye shut with tongue sticking out]

MV1: "Haha don't mind if u do"

ST1: "I think about what it would be like"

MV1: "Me too"
"What are u up to"

ST1: "What kinda pics can you receive at the moment?"

MV1: "Um little peaky ones"
"I wouldn't do a full"
"Sorry I'm on the bus right now but Ill send some later"

ST1: "I would expect you to do any while on the bus. No worries."

MV1: "No one is behind me or near me either so fknt worry"

ST1: "Let me see what I have"

MV1: "Ru in bed right now?"
"That's a view I'd like to see"

ST1: "Yes"

23. During this conversation on or about February 3, 2025, the images sent from SUBJECT TELEPHONE 1 appeared to have been deleted. A file appears, but I was unable to view the image.

ST1: [Sends above image that was not recovered on the iPad]
"I may have sent you this one already"

MV1: "Haha no worries I have them deleted already"
"Any from right now?"

ST1: "You know I hate selfies. And I have my top and bottom retainers in."

MV1: "Haha it's cute don't worry"

ST1: [Sends image that was not recovered on the iPad]

MV1: ["loved" above image]
"Beautiful"
"I've missed ur face"

ST1: "Haha. I sleep single in a California King" [Emoji of man with hands out to sides of shoulders]
[smiling emoji with red cheeks]

MV1: "I guess I'll need to join u"

ST1: "Thanks. Me too- I miss your messy hair and face"

MV1: "Can I get a peak..."

ST1: "Room for those sexy abs of yours too"
[Sends image that was not recovered on the iPad]
"Soft"

MV1: "lol can I get a closeup"

ST1: "Only from you would I take such a request"
"Yeah"
[Sends image that was not recovered on the iPad]

MV1: "Looks amazing"
"I'll send u some for sure later"

ST1: [Sends image that was not recovered on the iPad]

MV1: "Or I know it's late but if u want to watch me when I get home around 7ish"
"I'll show u the homework"

ST1: "Man I would to but I know I won't make it that long."

MV1: "Haha no worries another day"
"Or there's another day we can FaceTime that's ok too"

ST1: "I know. You give great shows!!"

MV1: "I'm going to be taking this late bus basically every day this week"

ST1: "Especially when we both can talk."
"If my son isn't home- I'll give you another teaser"

24. On or about February 19, 2025, I submitted a preservation letter to Apple, Inc., ("Apple") requesting the preservation of any records related to SUBJECT TELEPHONE 1.

25. On or about February 21, 2025, I received subscriber information from AT&T for SUBJECT TELEPHONE 1, showing the subscriber as Kenneth MCCORD, with an address of [REDACTED], Charleston, West Virginia 25304.

26. On or about March 3, 2025, I received subscriber information from Apple, indicating SUBJECT TELEPHONE 1 was associated with Directory Services Identifier ("DSID") 1098500494, and the name on the account was Kenneth MCCORD, with the same address listed above in Charleston, West Virginia.

27. On or about March 14, 2025, I reviewed a West Virginia Department of Motor Vehicles ("DMV") record for Kenneth MCCORD. Based upon my review of the DMV photograph of MCCORD, I was able to determine MCCORD was the same individual who was pictured in the above text message exchanges with Minor Victim 1.

CONCLUSION


28. Based upon the information provided above, your affiant alleges that there exists probable cause to believe that Kenneth MCCORD knowingly violated 18 U.S.C. § 2252A(a)(2), in that between on or about January 4, 2025, and on or about February 4, 2025, at or near Charleston, Kanawha County, West Virginia, he knowingly received and attempted to receive child pornography depicting Minor Victim 1, in the form of sexually explicit images depicting the lascivious exhibition of the genitals and pubic area, and such images of child pornography were transmitted in interstate commerce via text messages between Minor Victim 1 in California and MCCORD in West Virginia.

Further your Affiant sayeth naught.



Mackenzie Lilly
Special Agent
Federal Bureau of Investigation

Signed and sworn to by telephonic means this 19th day of March, 2025.


DWANE L. TINSLEY
United States Magistrate Judge